

#4

PATENT
Attorney Docket No.: SPRUSON1100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Darren R. Shafren Art Unit: 1645
Application No.: 10/539,219 Examiner: Not Yet Assigned
I.A. Filing Date: December 18, 2003 Conf. No.: 4529
Title: METHOD OF TREATING A MALIGNANCY IN A SUBJECT VIA
DIRECT PICORNAVIRAL-MEDIATED ONCOLYSIS

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

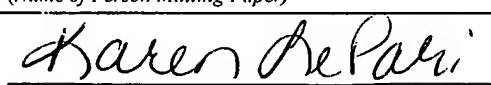
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 mailed January 4, 2006, enclosed are:

1. One (1) copy of the Notification of Missing Requirements under 35 U.S.C. 371 mailed January 4, 2006 (2 pages);
2. One (1) executed Declaration For Patent Application (3 pages);
3. One (1) Power of Attorney by Assignee (2 pages);
4. Statement under 37 CFR § 3.73(b) (1 page);
5. Two (2) Notices of Recordation of Assignment Document (4 pages each);
6. Check No. 580478 in the amount of \$65.00; and
7. Return Receipt Postcard.

01/20/2006 GFREY1 00000144 10539219
01 FC:2617 65.00 0P

CERTIFICATION UNDER 37 CFR §1.10 "EXPRESS MAIL" Mailing Label Number: EV 841 622 616 US Date of Deposit: January 17, 2006
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
KAREN LePARI (Name of Person Mailing Paper)
 (Signature) January 17, 2006 (Date)

In re Application of:

Darren R. Shafren

Application No.: 10/539,219

I.A. Filing Date: December 18, 2003

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PATENT

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Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	62-20	=	42	X	\$25	\$50	=	[\$1,050.00]	\$.00
Independent Claims	6-3	=	3	X	\$100	\$200	=	[\$ 300.00]	\$.00
Multiple Dependent Claims Present: ____ Yes <u>x</u> No					\$180	\$360		N/A	N/A
Fee for Each Additional 50 Sheets in Excess of 100 Pages					\$125	\$250		N/A	N/A
					FILING FEE			[\$ 150.00]	\$ 300.00
					SEARCH FEE			[\$ 200.00]	\$ 500.00
					EXAM FEE			[\$ 100.00]	\$ 200.00
					SURCHARGE FEE			\$ 65.00	\$ 130.00
					TOTAL FEE			\$ 65.00	

Enclosed is Check No. 580478 in the total amount of \$65.00; which consists of \$65.00 for the late declaration surcharge fee pursuant to 37 CFR 1.492(e). The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 17, 2006



Lisa A. Haile, J.D., Ph.D.

Registration No.: 38,347

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

USPTO CUSTOMER NUMBER 28213

DLA PIPER RUDNICK GRAY CARY US LLP

4365 Executive Drive, Suite 1100

San Diego, California 92121-2133



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,219	Darren R Shafren	SPRUSON1100

INTERNATIONAL APPLICATION NO.	
PCT/AU03/01688	
I.A. FILING DATE	PRIORITY DATE
12/18/2003	12/18/2002

28213
 DLA PIPER RUDNICK GRAY CARY US, LLP
 4365 EXECUTIVE DRIVE
 SUITE 1100
 SAN DIEGO, CA 92121-2133

JAN 10 2006

DLA PIPER

CONFIRMATION NO. 4529

371 FORMALITIES LETTER



OC000000017736223

Date Mailed: 01/04/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/17/2005
- Copy of the International Search Report filed on 06/17/2005
- Copy of Annexes to the IPER filed on 06/17/2005
- Small Entity Statement filed on 06/17/2005
- Request for Immediate Examination filed on 06/17/2005
- U.S. Basic National Fees filed on 06/17/2005
- Priority Documents filed on 06/17/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,219	PCT/AU03/01688	SPRUSON1100

FORM PCT/DO/EO/905 (371 Formalities Notice)